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Patent
SYR-DPP-IV-5004-C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jun Feng et al.

Serial No.: 10/809,636

Filed: March 24, 2004

For: DIPEPTIDYL PEPTIDASE
INHIBITORS

)
) Group Art Unit: 1614

)
) Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Supplemental Information Disclosure Statement ("SIDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449, and copies of the literature and non-U.S. patent references are included. As the Office no longer requires copies of U.S. patents and applications, the U.S. copies are not being submitted with this SIDS. However, if the Examiner would like copies of the U.S. cited references, Applicants will provide the references upon request.

The items identified in this SIDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This SIDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this SIDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this SIDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This SIDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this SIDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This SIDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this SIDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this SIDS.

☐ No item contained in this SIDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person

signing this statement after making reasonable inquiry, no item of information contained in this SIDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this SIDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

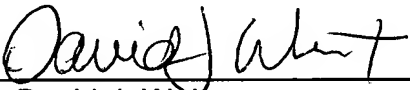
- ☐ A check in the amount of _____ is enclosed for the above fee(s).
☐ Please charge to Deposit Account No. **50-2256** for the above fee(s).

Although Applicants do not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Takeda's Deposit Account No. **50-2256**.

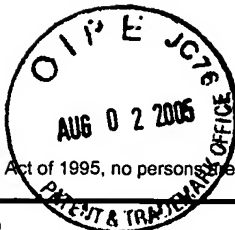
Respectfully submitted,

TAKEDA SAN DIEGO, INC.

Dated: July 28, 2005

By: 
David J. Weitz
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/809,636		
		Filing Date	March 24, 2004		
		First Named Inventor	Jun FENG		
		Group Art Unit	1614		
		Examiner Name			
Sheet	1	of	2	Attorney Docket Number	SYR-DPP-IV-5004-C1

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication Date/ Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	AA	US1998/5798344	12-25-1998	Kuroki et al.	
	AB	US2002/0169159	11-14-2002	Medina et al.	
	AC	US2003/0069234	4-10-2003	Medina et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	AD	BR 699812	11-29-1950	The Distillers Company Limited		
	AE	53005180 A	01-18-1978	Sumitomo Chem		
	AF	EP 1136482 A1	09-26-2001	Sanofi-Synthelabo		
	AG	WO 01/96295 A2	12-20-2001	Novartis AG		
	AH	WO 02/02560 A2	01-10-2002	Novo Nordisk		
	AI	WO 03/000181 A2	01-03-2003	Merck & Co., Inc.		
	AJ	WO 03/007888 A2	01-30-2003	Adipogenix, Inc.		
	AK	WO 03/027080 A1	04-03-2003	Mitsubishi Pharma		
	AL	WO 03/037888 A1	05-08-2003	Mitsubishi Pharma		
	AM	WO 03/076418 A1	09-18-2003	X-CEPT Therapeutics, Inc.		
	AN	WO 04/062613 A2	07-29-2004	Bristol-Myers Squibb		
	AO	WO 04/085408 A1	10-07-2004	Mitsubishi Pharma		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Filing Date	March 24, 2004		
		First Named Inventor	Jun FENG		
		Group Art Unit	1614		
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	SYR-DPP-IV-5004-C1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AP	DEY, PARAMITA D., et al., Regioselective [4+2] Cycloaddition versus Nucleophilic Reactions of N-Arylamino Substituted 1,3-Diaza-1,3-Butadienes with Ketenes: Synthesis of Pyrimidinone and Fused Pyrimidine Derivatives. Part II. Tetrahedron, Vol. 53, No. 40, pp. 13829-13840, 1997.	
	AQ	JAKUBKIENE, VIRGINIJA, et al., (G-Methyl-2methylsulfanyl-4-oxo-3,4-dihydro-3-pyrimidinyl)acetic acid and related compounds exhibiting anti-inflammatory activity. Pharmazie 57 (2002) 9, pp. 610-613.	
	AR	JONES, TERENCE R., et al., Azafluorenes Containing Two Bridgehead Nitrogen Atoms. Journal of the Chemical Society, Perkin Transactions 1, No. 12, December 1987, pp. 2585-2592.	
	AS	SHARMA, ARUN K., et al. Tandem sigmatropic shifts in [4 + 2] cycloaddition reactions of 1,3-diazabuta-1,3-dienes with butadienyketene: synthesis of pyrimidinone derivatives. J. Chem. Soc., Perkin Trans. 1, 2002, 774-784.	
	AT	Database Crossfire Beilstein Institut Zur Foerderung Der Chmischen Wissenschaften. XP-002310120. Beilstein Registry Number 638238 & Synthetic Procedures in Nucleic Acid Chemistry, Vol. 1, 1968, page 92.	
	AU	Database Crossfire Beilstein Institut Zur Foerderung Der Chmischen Wissenschaften. XP-002310119. Beilstein Registry Number 649497 & J. Pharm. Sci. Vol. 80, No. 7, 1991, pp. 705-706.	
	AV	Database CA Online Chemical Abstracts Service, Columbus, OH, US; Troschuetz, Reinhard et al., The reaction of O-functional benzylmalononitriles with N-bisnucleophiles as well as alcoholates. XP-002311761 retrieved from STN Database accession No. 1994:217538 abstract & Archiv Der Pharmazie (Winheim, Germany), 326(11), 865-9 Coden: ARPMAS; ISSN: 0365-6233, 1993.	
	AW	Database Crossfire Beilstein Institut Zur Foerderung Der Chmischen Wissenschaften. XP-002310121. Beilstein Registry Number 7289032 & Nucleosides Nucleotides, Vol. 14, No. 3-5, 1995, pp. 653-656.	
	AX	Database Crossfire Beilstein Institut Zur Foerderung Der Chmischen Wissenschaften. XP-002310118. Beilstein Registry Number 7643826 & KHIM. Geterotsikl. Soedin., Vol. 32, No. 5, 1996, pp. 703-707.	
	AY	Database Crossfire Beilstein Institut Zur Foerderung Der Chmischen Wissenschaften. XP-002310117. Beilstein Registry Number 8373244 & KHIM. Geterotsikl. Soedin., No. 8, 1998, pp. 1125-1129.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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